

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

MICHAEL REED MARTZ

PLAINTIFF

v.

CASE NO. 3:13cv114-NBB-JMV

MISSISSIPPI ARMY NATIONAL GUARD

DEFENDANT

**ORDER DENYING MOTION TO STRIKE  
AND CLARIFYING STAY ORDER**

Before the court is Defendant Mississippi Army National Guard's Motion to Strike Amended Complaint [13]. For the reasons stated in Plaintiff's Response [15] to Defendant's Motion to Strike, the instant motion is hereby DENIED. Additionally, for the sake of clarity, the court's May 20, 2013 Miss. Unif. Civ. L. R. 16(b)(3)(B) & (C) Order Staying Certain Proceedings [7] is vacated only to the extent that it is inconsistent with the express language of said local rule which "stays [only] the attorney conference and disclosure requirements and all discovery not related to the issue pending the court's ruling on the motion, . . . ."

Finally, Defendant is hereby granted fourteen (14) days from this date to file an amended motion to dismiss or other responsive pleading to the amended complaint.

SO ORDERED this, the 20<sup>th</sup> day of June, 2013.

/s/ Jane M. Virden  
U. S. MAGISTRATE JUDGE